



**BellSouth Telecommunications, Inc.**  
**Legal Department**  
1600 Williams Street  
Suite 5200  
Columbia, SC 29201

patrick.turner@bellsouth.com

**Patrick W. Turner**  
General Counsel-South Carolina

803 401 2900  
Fax 803 254 1731

June 23, 2005

Mr. Charles Terreni  
Chief Clerk of the Commission  
Public Service Commission of South Carolina  
Post Office Drawer 11649  
Columbia, South Carolina 29211

Re: BellSouth Telecommunications, Inc.'s Petition for Review of NXX Code  
Denial in the Columbia Rate Center  
Docket No.

Dear Mr. Terreni:

Enclosed for filing are an original and ten copies of BellSouth Telecommunications Inc.'s Petition for Review of NXX Code Denial in the Columbia Rate Center in the above-captioned matter. By copy of this letter, I am serving a copy of this document on NANPA, NeuStar, and the ORS, as indicated on the attached Certificate of Service.

Sincerely,

A handwritten signature in black ink that reads "Patrick W. Turner". The signature is written in a cursive, flowing style.

Patrick W. Turner

PWT/sgm  
Attachment  
DM5 585916

BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA

In Re: BELLSOUTH TELECOMMUNICATIONS, INC.'S )  
PETITION REQUESTING THE COMMISSION'S ) DOCKET NO. \_\_\_\_\_  
INTERVENTION IN NANPA NXX CODE )  
ASSIGNMENTS )

PETITION FOR REVIEW OF NXX CODE DENIAL  
IN THE COLUMBIA RATE CENTER

BellSouth Telecommunications, Inc. ("BellSouth"), pursuant to rules adopted by the Federal Communications Commission ("FCC") for challenging determinations of the North American Numbering Plan Administration ("NANPA"), petitions the Public Service Commission of South Carolina ("Commission") for review of NANPA's denial of BellSouth's application for use of central office code numbering resources in the 803 area code. The denial that is the subject of this Petition impacts BellSouth's customer, the State of South Carolina State Budget and Control Board.

In support of this petition BellSouth states:

1. BellSouth is a telephone utility regulated by the Commission. It provides intraLATA, local exchange telecommunications services in various portions of South Carolina, including the Columbia exchange.

2. NANPA is an independent non-governmental entity that is responsible for administering and managing the North American Numbering Plan ("NANP"). See 47 C.F.R. § 52.13 (a), (b).

3. On March 31, 2000, the FCC issued a Report and Order and Further Notice of Proposed Rule Making relating to numbering resource optimization ("FCC 00-104"). The goal

of FCC 00-104 was to implement uniform standards governing requests for telephone numbering resources in order to increase efficiency in the use of existing telephone numbers and to avoid further exhaustion of existing numbers under the NANP.

4. Among other things, FCC 00-104 adopted a revised standard for assessing a carrier's need for numbering resources by requiring rate center based utilization rates to be reported to NANPA. FCC Order at ¶ 105. The FCC further required that, to qualify for access to new numbering resources, applicants must establish that existing inventory within the applicant's rate center will be exhausted within six months of the application. The FCC reaffirmed this requirement in two subsequent orders. FCC 00-429 at ¶ 29 (rel. Dec. 29, 2000); FCC 01-362 at ¶¶ 48-49 (rel. Dec. 28, 2001). Prior to this ruling, the Central Office Code Assignment Guidelines, used by the industry and NANPA to make code assignments, required the applicant's existing number inventory within the applicant's serving switch to exhaust within six months of the code application or the carrier had to prove that it was unable to meet a specific customer's request with its current inventory of numbers in order for a code to be assigned.

5. This shift to a "rate center" basis from a switch basis for determining the need for new numbering resources was intended to "more accurately reflect how numbering resources are assigned" and to allow "carriers to obtain numbering resources in response to specific customer demands." FCC 00-104, ¶ 105.

6. In addition to the months-to-exhaust ("MTE") requirement described above, the FCC's rules also required carriers to meet a rate center utilization threshold of 60 percent in order to receive additional numbering resources in a given rate center. FCC 00-429 at Paragraph 22; FCC 01-362, ¶¶ 50-52. The utilization threshold has increased by five percent per year, and it has now reached the maximum of 75 percent. Based on the FCC's orders, carriers must meet

both the six months MTE requirement and the utilization threshold on a rate center basis in order to obtain numbering resources. Id.

7. On or about March 15, 2005, BellSouth submitted a Pooling Administration System request to NANPA and NeuStar for the assignment of two new NXXs in the Columbia, South Carolina exchange. These NXXs are needed to meet the numbering demands of The State of South Carolina Budget and Control Board. This customer is requesting additional PRI telephone numbers to work in conjunction with existing PRI numbers that terminate in the customer's PBX located on Broad River Road in Columbia. As the customer has a five digit dialing plan, the customer wants the first new NXX to end in 3 (XX3). Further, the customer is requesting a specific number range from a second NXX that ends with a two (XX2). The specific number range the customer is requesting is 803-XX2-8000/803-XX2-9999. As BellSouth does not have existing NXXs that meet either of the customer's requests, two new NXXs are needed. Exhibit A is a copy of the customer's letter dated March 11, 2005.

8. BellSouth's application was completed in accordance with Industry Numbering Committee's (INC's) and/or NANPA's guidelines, and BellSouth filled out the necessary Month-to-Exhaust Certification Worksheets as required.

9. At the time of the filing of the Code request, the Columbia Rate Center had an MTE of 12.86 months and a utilization of 78.59% (Exhibit B).

10. Thereafter, also on March 15, 2005, NPA's Central Office Code Administration denied BellSouth's request for two NXXs because BellSouth had not met the rate center based MTE criterion now set forth in the Central Office Code (NXX) Guidelines. NANPA denied BellSouth's code requests despite the fact that BellSouth does not have adequate numbering

resources needed to satisfy this customer's demands in the Columbia Rate Center. NANPA's response is also included as part of Exhibit B.

11. BellSouth's inability to provide this important customer with the requested numbers prevents BellSouth from providing the quality of service this customer desires, needs, and expects. If BellSouth is not assigned the NXX codes needed to meet the customer's request, BellSouth will be unable to provide telecommunications services requested by its customer.<sup>1</sup> NANPA's refusal to grant numbering resources sufficient to meet the needs of this customer is inconsistent with the FCC's position that "(u)nder no circumstances should consumers be precluded from receiving telecommunications services of their choice from providers of their choice for want of numbering resources," FCC 00-429 at ¶ 61.

12. Both the FCC's rules and the Central Office Code (NXX) Assignment Guidelines provide that state regulatory authorities have the power and authority to review NANPA's decision to deny a request for numbering resources. See FCC 01-362, Appendix A, Final Rules, § 52.15(g) (4) ("The carrier may challenge the NANPA's decision to the appropriate state regulatory commission"); FCC 01-362 at ¶¶ 61-66; Central Office Code (NXX) Assignment Guidelines § 13.0 ("Appeals may include but are not limited to one or more of the following options: . . . C. The CO Code Administrator(s) and code holders/applicants may pursue the disagreement with the appropriate governmental/regulatory body").

13. Prior to the FCC's Order and the resulting change in the Central Office Code (NXX) Assignment Guidelines, the MTE procedures used by NANPA permitted a carrier to

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<sup>1</sup> BellSouth employs a number administration technique called "sequential numbering" in order to preserve the largest blocks of consecutive numbers for as long as possible. The lack of consecutive numbers in the switch referred to above is the consequence of a high level of utilization, not any failure on BellSouth's part to conserve blocks of consecutive numbers.

receive a code assignment, even if the MTE requirement at the switch level was not met. These waivers or exceptions were granted where customer hardships could be demonstrated or where the service provider's inventory did not have a block of sequential numbers large enough to meet the customer's specific request. Under today's procedures, NANPA looks at the MTE for the entire rate center without any exceptions. The FCC has determined, however, that States may grant relief "if a carrier demonstrates that it has received a customer request for numbering resources in a given rate center that it cannot meet with its current inventory." FCC 01-362, ¶ 64. In addition, the FCC has ruled that, "States...may grant requests for customers seeking contiguous block of numbers." *Id.*

14. BellSouth requests that the Commission reverse NANPA's decision to withhold numbering resources from BellSouth on the following grounds:

- a. NANPA's decision to withhold numbering resources from BellSouth interferes with BellSouth's ability to provide telecommunication services to its customers as required under South Carolina law; and
- b. BellSouth's request for numbering resources would not materially impact exhaustion of the remaining 92 available NXXs in the 803 area code.<sup>2</sup>

15. This Commission (see Docket No. 2002 -185-C, Order No. 2002-415) and other state regulatory agencies in Alabama, Florida, Georgia, Louisiana, North Carolina, and Tennessee similarly have recognized their jurisdiction and authority to review NANPA denials and to order the release of number resources to BellSouth to meet customer needs.

**WHEREFORE**, BellSouth requests that the Commission:

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<sup>2</sup> This count is as of February 28, 2005, the most current data published by NANPA.

1. Reverse the decision of NANPA to deny BellSouth's request for additional numbering resources;
2. Direct NANPA to provide two NXXs for the Columbia, South Carolina Rate Center; and
3. Grant the requested relief as soon as possible.

Respectfully submitted this 23<sup>rd</sup> day of June 2005.



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Patrick W. Turner  
Suite 5200  
1600 Williams Street  
Columbia, South Carolina 29201  
(803) 401-2900

ATTORNEY FOR BELL SOUTH  
TELECOMMUNICATIONS, INC

DM5 590565

# EXHIBIT A



STATE OF SOUTH CAROLINA  
**State Budget and Control Board**  
DIVISION OF THE STATE CIO

MARK SANFORD, CHAIRMAN  
GOVERNOR

GRANT L. PATTERSON, JR.  
STATE TREASURER

RICHARD ECKSTROM  
COMPTROLLER GENERAL



RUOH E. LEATHERMAN, SR.  
CHAIRMAN, SENATE APPROPRIATIONS COMMITTEE

ROBERT W. HARRIS, JR.  
CHAIRMAN, WAYS AND MEANS COMMITTEE

FRANK W. JUSCO  
EXECUTIVE DIRECTOR

LAWRENCE A. JOHNSON  
CHIEF INFORMATION OFFICER

DIVISION OF THE STATE CIO  
400 Broad River Road  
COLUMBIA, SOUTH CAROLINA 29216  
(803) 556-4400  
Fax (803) 556-0099

March 11, 2005

BellSouth  
1600 Williams Street  
Columbia, South Carolina

Attn: Mary Puryear

RE: PRI Telephone Numbers

Dear Mary:

The State Budget and Control Board, Division of the State CIO request additional PRI telephone numbers to work in conjunction with existing numbers terminating in the Broad River Road PBX.

The request is to obtain three (3) sets of numbers whereas the 6 digit begin with 3, and the 6<sup>th</sup> and 7<sup>th</sup> digits begin with 28 and 29, for example: 803 XX3-XXXX, and 803 XX2-XXXX and 803 XX2-9XXX.

The complete number ranges would be 803 XX3-0000 thru 803 XX3-9999; 803 XX2-8000 thru 803 XX2-8999; and 803 XX2-9000 thru 803 XX2-9999. All numbers should be 2-W, PRI, with restrictions from collect, 3<sup>rd</sup> party billing and quick-completes.

If additional information is needed to complete the request, please do not hesitate to call.

Sincerely,

M. Davis

Sharon Myers

# EXHIBIT B

Microsoft Internet Explorer provided by BellSouth

Address: https://www.nationalpooling.com/pas/frames-index.jsp

## Pooling Administration System

peggyl.wilson@bellsouth.com (SP) Sign Out

### Request Resources

State: SOUTH CAROLINA  
 NPA: 803  
 Rate Center: COLUMBIA  
 OCN: 9417-BELLSOUTH SO BELL  
 Type of Application: Application for a full NOX on Behalf of a PA

Continue Cancel

**NOTE**  
 If you are selecting a Rate Center that is moving to a new NPA due to a split, PAS will automatically migrate the request to the new NPA once the mandatory dialing date occurs.

Legal Notice Privacy Agreement

Done Internet

Microsoft Internet Explorer provided by BellSouth

Address: https://www.nationalpooling.com/pas/frames-index.jsp

## Pooling Administration System

peggyl.wilson@bellsouth.com (SP) Sign Out

### Request Resources

Date: Tuesday, March 15, 2005  
 OCN: 9417  
 Company Name: BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL  
 Rate Center: COLUMBIA

List all Codes NPA(s)-NO's and Blocks NPA(s)-NOX-X(s)

Name of Block Applicant: Ms ANN WILSON  
 Title: FACILITIES SPECIALIST  
 Telephone Number: (205) 968-8690  
 Fax Number: (205) 977-3013  
 E-Mail: ann.wilson@bellsouth.com

A. Available Numbers: 92270  
 B. Assigned Numbers: 651744  
 C. Total Numbering Resources: 629275

D. Quantity of numbers activated in the past 90 days and excluded from the Utilization calculation: 0

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Done Internet

Pooling Administration System - Microsoft Internet Explorer powered by IntelliMouse

File Edit View Favorites Tools Help

Back Forward Stop Search Favorites Home

Address <https://www.nationabooking.com/paframes-index.jsp> Go Links

- Request For Resource
  - Block
  - Modify
  - Discontinue
  - Block Transfer
- Confirm Block(s) in Service (Part 4)
- Search Forms
- Submit Forecast
  - Create/Modify Forecast
- User Profile
- Donate Block
- Response

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**E. Growth History - Previous 6 months<sup>2</sup> \***

Month 1	598	Month 2	2281
Month 3	21197	Month 4	2204
Month 5	1692	Month 6	2675

**F. Forecast - Next 12 months<sup>3</sup> \***

Month 1	5175	Month 2	5175
Month 3	5175	Month 4	5175
Month 5	5175	Month 6	5175
Month 7	5175	Month 8	5175
Month 9	5175	Month 10	5175
Month 11	5175	Month 12	5175

**G. Average Monthly Forecast** (Sum of months # 1-6, (Part F above) divided by 6) 2175.000

**H. Months to Exhaust<sup>4</sup>** (Numbers Available for Assignment to customers (A) / Average Monthly Forecast (G))

Block Requested	A. Available Numbers	H. Months to Exhaust
1	92270	12.060

**I. Utilization<sup>5</sup>** (Assigned Numbers (B)) / (Total Numbering Resources (C) - Excluded Numbers (D)) \*

100	78.592
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Internet

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Address <https://www.nationabooking.com/paframes-index.jsp> Go Links

- Request For Resource
  - Block
  - Modify
  - Discontinue
  - Block Transfer
- Confirm Block(s) in Service (Part 4)
- Search Forms
- Submit Forecast
  - Create/Modify Forecast
- User Profile
- Donate Block
- Response

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**Pooling Administration System**

[page.welcome@nabooking.com \(SP\)](#) Sign Out

**Months to Exhaust and Utilization Certification Worksheet - IN Level (continued)**

Based on the information provided, you will not exhaust all blocks in the requested NGR in 6 months.

Select One Option and Submit

☐ Return to the Months To Exhaust Form  
☐ Discard all the information provided for the request and start with a fresh Part 1A.  
☒ State Transfer Option

Submit Cancel

Done

Internet

STATE OF SOUTH CAROLINA                    )  
  )  
COUNTY OF RICHLAND                        )

CERTIFICATE OF SERVICE

The undersigned, Nyla M. Laney, hereby certifies that she is employed by the Legal Department for BellSouth Telecommunications, Inc. ("BellSouth") and that she has caused BellSouth's Petition for Review of NXX Code Denial in the Columbia Rate Center to be served by the method indicated below upon the following this June 23, 2005:

Thomas C. Foley  
NPA Relief Planner – Eastern Region NANPA  
NeuStar – NANPA  
820 Riverbend Blvd.  
Longwood, FL 32779-2327  
**(U. S. Mail)**

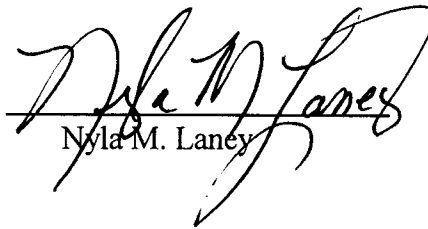
Ms. Kimberly Miller  
Regulatory Policy Attorney  
NeuStar  
2000 M Street, NW, Suite 600  
Washington, DC 20036-3328  
**(U. S. Mail)**

F. David Butler, Esquire  
General Counsel  
S. C. Public Service Commission  
Post Office Box 11649  
Columbia, South Carolina 29211  
(PSC Staff)  
**(U. S. Mail and Electronic Mail)**

Jocelyn G. Boyd, Esquire  
Staff Attorney  
S. C. Public Service Commission  
Post Office Box 11649  
Columbia, South Carolina 29211  
(PSC Staff)  
jocelyn.boyd@psc.sc.gov  
**(U. S. Mail and Electronic Mail)**

Joseph Melchers  
Chief Counsel  
S.C. Public Service Commission  
Post Office Box 11649  
Columbia, South Carolina 29211  
(PSC Staff)  
**(U.S. Mail and Electronic Mail)**

Florence P. Belser, Esquire  
General Counsel  
Office of Regulatory Staff  
Post Office Box 11263  
Columbia, SC 29211  
**(U. S. Mail and Electronic Mail)**



Nyla M. Laney

585913